

Carl Elefante email of 12/15/09 that served as basis for discussion on Working Group's study scope. (Agenda Item #3 on 12/16/09)

Having read the emails over the past week, I thought it would be useful for me to add another perspective. As an architect, my job is to synthesize lots and lots of technical information that others understand better than me. I find myself in this situation with the WQ Committee as well. People frequently go to the trouble of paying me for my perspective, so I'll assume that it will be useful here, too.

I suggest we focus on the goals of the Committee. We have been charged by the County Council to analyze the water quality issues in the 10 Mile Creek watershed to help them make a decision about the Stage 4 development under the Clarksburg Master Plan. They are trying to determine the best action of four:

1. approve further development without additional conditions
2. approve further development with additional conditions
3. take "other land use" actions
4. defer action pending additional study

It is reasonable to ask ourselves: "As a Councilmember, what information would I want to have at my disposal to make a judgment on the protection of water quality in 10 Mile Creek?" In the language I use professionally, this question requires that we determine the appropriate "scope" of the Committee's study. Here are my thoughts about defining a sufficient study scope.

Per Joyce's and Dusty's outlines, the first step is to document the existing conditions in the watershed. Although we have touched on many aspects of this, I do not believe we have taken this to conclusion. The Committee report that goes to the Council should succinctly summarize the following, at least:

\* What has been developed in Clarksburg to date? What "triggers" that have been met to bring about consideration of Stage 4 development? Which of these triggers has impact on water quality? (Any? Are the triggers and water quality unrelated? How could the quality of 10 Mile Creek have been diminished if the triggers have been met?)

\* What is the Stage 4 Master Plan? What factors in the Stage 4 Master Plan affect water quality? On my list are at least the following:

- o location of development in the watershed
- o imperviousness of development
- o aquifer recharge in developed condition
- o riparian buffers
- o forest cover

\* What are the water quality conditions in 10 Mile Creek? (I would expect to see clear mapping of where water quality measurements have been made and when. Can this information provide any insight into why previous development reduced water quality?)

Again, per Joyce's and Dusty's outlines, the next step is to study water quality protection measures and their relevance to the 10 Mile Creek watershed. I see this as needing to address two topics:

- \* water quality regulations (As we know, these are undergoing a substantial change in Maryland; therefore, we need to document:)
- o What regulated water quality in the previous Stages of

development in Clarksburg?

- o What changes to the regulations will affect Stage 4 development and how?

- o In light of the Stage 4 Master Plan, which regulated water quality issues are of greatest concern? least concern?

- \* water quality best practices (Here to, we know that practice has changed substantially over the past fifteen years; therefore, we need to document:)

- o What water quality best practices were used in the previous Stages of development in Clarksburg?

- o What changes to best practices will affect Stage 4 development and how?

- o In light of the Stage 4 Master Plan, which water quality best practices have the greatest potential to improve protection? least potential?

While I agree with Dusty's observation that these questions need to be addressed over time, I think looking at pre-development, during development and after reaching full development timeline should be done in the context of studying regulations and best practices, not as the primary organizing principle.

Agreeing in part with both Diane's and Dusty's points, the Committee must also study land use practices. In my view, it is beyond the ability of the Committee to study "development scenarios" per se. (My experience is that simply creating straw-man development scenarios would require thousands of dollars of consultant time.) On the other hand, it is very important to review the land use scenario represented by the Sate 4 Master Plan and assess its potential impacts on water quality. We also know that MNCPPC is in the process of re-writing the zoning ordinance and conducting master planning in several communities throughout the County. We should understand how well the Stage 4 plan aligns with emerging thinking on land use in the County. The following needs to be studied:

- \* In light of new water quality regulations and best practices, what elements of the Stage 4 Master Plan are of greatest concern? least concern?

- \* What changes in land use policy under study at MNCPPC have relevance to the character of development proposed in Stage 4?

- \* What best practices in land use have relevance to Stage 4?

In my view, it is more important for the Committee to develop a study that provides the Council with clear and concise analysis that illuminates the most relevant topics for the Council than to reach consensus on a series of recommendations. The Council is a body of experienced decision makers. It is my hope that the Committee will help them make an informed decision about water quality in 10 Mile Creek. If we can reach consensus, all the better.